

Sixth Appellate District

San Jose, California

MONDAY, AUGUST 14, 2006

(no minute approved orders)

TUESDAY, AUGUST 15, 2006

The Court met in its courtroom at 333 West Santa Clara Street, Suite 1060, San Jose, California. Present: Premo, Acting P.J.; Elia, J.; Bamattre-Manoukian, J.; and Lanae Brooks, Deputy Clerk.

H028784 TRYHORN MUTUAL WATER SYSTEM, et al., v. SAMUEL CRUZ  
Cause called and argued by Russell J. Hanlon appearing for Appellants and by Lloyd W. Lowrey Jr. appearing for Respondents. Cause ordered submitted.

H028096 CHING CHING LEE v. HUNG TAO LIU, et al.,  
Cause called and argued by Jerry Y. Fong appearing for Appellant and by Jonathan D. Wolf appearing for Respondents. Supplemental briefing requested by the court. Submission deferred pending supplemental briefing.

Elia, J. leaves the bench and Duffy, J. takes the bench.

H027764 JAIM NULMAN, et al. v. CITY OF PALO ALTO  
Cause called and argued by Kent Mitchell appearing for Appellant and by Gregory K. Kingsporn appearing for Respondent. Cause ordered submitted.

Premo, Acting P.J. leaves the bench and Elia, Acting P.J. takes the bench.

H028762 JKH ENTERPRISES v. DEPARTMENT OF INDUSTRIAL RELATIONS  
Cause called and argued by Rona Page Layton appearing for Appellant and by David M. Balter appearing for Respondent. Cause ordered submitted. Court recesses until 1:30 p.m.

The Court reconvened at 1:30 p.m. in its courtroom at 333 West Santa Clara Street, Suite 1060, San Jose, California. Present: Rushing, P.J.; Elia, J.; Mihara, J.; and Jane Valdez Flor, Deputy Clerk.

H029243 PRESERVE OUR VALLEY, et al. v. COUNTY OF MONTEREY;  
GRANITE CONSTRUCTION COMPANY  
Cause called and argued by Michael W. Stamp appearing for Appellants and by Efren N. Iglesia appearing for Respondent and by Mark David Harrison appearing for Real Party in Interest. Cause ordered submitted.

Rushing, P.J. leaves the bench and McAdams, J. takes the bench.

Sixth Appellate District

San Jose, California

Tuesday, August 15, 2006 (continued)

H028471 PEOPLE v. ORMONDE

Cause called and argued by Philip A. Schnayerson appearing for Appellant and by Frances Marie Dogan, Deputy Attorney General, appearing for Respondent. Cause ordered submitted.

Elia, J. leaves the bench and Duffy, J. takes the bench.

H027971 PEOPLE v. ALLEN

Cause called and argued by Erik G. Babcock appearing for Appellant and by Christopher W. Grove, Deputy Attorney General, appearing for Respondent. Cause ordered submitted.

H028714 MOSAIC SYSTEMS, INC. v. CISCO SYSTEMS, INC.

Cause called and argued by Brett M. Schuman appearing for Appellant and by Michael Risch appearing for Respondent. Cause ordered submitted.

H027562 KAATZ v. CITY OF SEASIDE, et al.

Cause called and argued by Michael J. Whilden appearing for Appellant and by Lee C. Rosenthal appearing for Respondents and by Kenneth Boas Bley appearing for respondent K&B Blakewell Seaside Venture. Cause ordered submitted.

H028770 WHITE v. SAN JOSE WATER COMPANY

Cause called and argued by Amy Carlson appearing for Appellant and by Laura G. Schaefer appearing for Respondent. Cause ordered submitted. Court is adjourned.

H029413 PEOPLE v. REDONDO

The judgment is affirmed. (not published)  
(Elia, J.; We concur: Rushing, P.J., Premo, J.)  
Filed August 15, 2006

WEDNESDAY, AUGUST 16, 2006

H029209 PEOPLE v. SILVA

The judgment is modified to stay the terms imposed for count 2 (Pen. Code, §§ 236, 237) and count 3 (Pen. Code, § 220) pursuant to Penal Code section 654. The trial court is directed to prepare an amended abstract of judgment and forward a certified copy of the amended abstract to the Department of Corrections. As modified, the judgment is affirmed. (not published)  
(Premo, J.; We concur: Rushing, P.J., Elia, J.)  
Filed August 16, 2006

Sixth Appellate District

San Jose, California

THURSDAY, AUGUST 17, 2006

H028973 PEOPLE v. AKSELSEN

The judgment is affirmed. (not published)  
(Premo, J.; We concur: Rushing, P.J., Elia, J.)  
Filed August 17, 2006

H028594, H029163 GOSCILA, II v. SALINAS VALLEY MEMORIAL  
HEALTHCARE SYSTEM, et al.

The order is reversed. The judgment is reversed. Costs are  
awarded to appellant. (not published)  
(Mihara, J.; We concur: Rushing, P.J., McAdams, J.)  
Filed August 17, 2006

H029700 PEOPLE v. CURLEE

The judgment is affirmed. (not published)  
(Elia, J.; We concur: Rushing, P.J., Premo, J.)  
Filed August 17, 2006

H028216 PEOPLE v. DIBLASI

The judgment is modified to grant defendant one year of  
additional custody credit. The superior court is directed to  
prepare an amended abstract of judgment reflecting this  
modification and to forward a certified copy to the Department of  
Corrections. As so modified, the judgment is affirmed. (not  
published)  
(Elia, J.; We concur: Rushing, P.J., Premo, J.)  
Filed August 17, 2006

H029632 PEOPLE v. JOHN W.

The juvenile court's order is affirmed. (not published)  
(Mihara, Acting P.J.; We concur: McAdams, J., Duffy, J.)  
Filed August 17, 2006

H029035 PEOPLE v. WILLIAMS

The order is affirmed. (not published)  
(Mihara, Acting P.J.; We concur: McAdams, J., Duffy, J.)  
Filed August 17, 2006

H028890 WELCH, et al. v. SUESS

The orders are affirmed. (not published)  
(Mihara, J.; We concur: Rushing, P.J., McAdams, J.)  
Filed August 17, 2006

The following case is submitted this date:

H030271 MARQUITA J., et al. v. SUPERIOR COURT

Sixth Appellate District

San Jose, California

Thursday, August 17, 2006 (continued)

H029022 BECKER v. KAJIKURI

The order awarding Kajikuri \$296 in appellate costs and \$945 in section 128.7 sanctions is affirmed. Kajikuri's motion for appellate sanctions is denied. Kajikuri shall recover his costs on appeal. (not published)

(McAdams, J.; We concur: Rushing, P.J., Premo, J.)

Filed August 17, 2006

FRIDAY, AUGUST 18, 2006

H029252 PEOPLE v. STULLER

The judgment is reversed as to count 4, grand theft. The superior court is ordered to send a certified copy of the corrected abstract of judgment to the Department of Corrections. (not published)

(Bamattre-Manoukian, Acting P.J.; We concur: Mihara, J., McAdams, J.)

Filed August 18, 2006